

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AMAZON.COM, INC., et al.,

Plaintiffs,

v.

CHUN WONG, et al.,

Defendants.

CASE NO. C19-0990JLR

ORDER

On November 16, 2022, the court stayed this matter pending the resolution of Defendant Chun Wong’s Chapter 7 bankruptcy proceeding. (11/16/22 Order (Dkt. # 89)); *see In re Wong*, Case No. 2:22-bk-11767 (Bankr. W.D. Wash. 2022); 11 U.S.C. § 362(a)(1) (providing for an automatic stay of judicial proceedings while a bankruptcy petition is pending). On February 17, 2023, Plaintiffs Amazon.com, Inc. and Nite Ize, Inc. (collectively, “Plaintiffs”) and Mr. Wong filed a joint status report and notice that the bankruptcy court has dismissed Mr. Wong’s bankruptcy case and that the automatic stay of proceedings has been lifted pursuant to 11 U.S.C. § 362(c)(2)(B). (2/17/23 JSR (Dkt.

1 # 90).) The parties now ask the court to lift the stay that it entered in this case. (*Id.* ¶ 5.)
2 Accordingly, the court GRANTS the parties' request (Dkt. # 90) and LIFTS the stay in
3 this case.

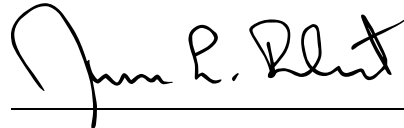
4 The parties disagree, however, on next steps. Mr. Wong asks the court to issue a
5 new scheduling order. (*Id.* ¶ 8.) Plaintiffs ask the court to wait to enter a new scheduling
6 order until after the court rules on their anticipated motion for sanctions and entry of
7 default against Mr. Wong. (*Id.* ¶¶ 6-7.)

8 The court agrees with Mr. Wong that entry of a new scheduling order is
9 appropriate at this time. The court's most recent scheduling order granted the parties'
10 joint request to set the discovery cut-off date on November 2, 2022, and the dispositive
11 motions deadline on December 1, 2022. (3/11/22 Order (Dkt. # 66).) The court did not,
12 however, set a trial date or other pretrial deadlines. (*See id.*) Because Mr. Wong filed his
13 bankruptcy petition on November 1, 2022, the automatic stay was imposed on that same
14 date. (*See* 11/2/22 Status Report (Dkt. # 84) ¶¶ 5-6.) As a result, neither the discovery
15 deadline nor the dispositive motions deadline have expired. In addition, the court finds
16 that it is appropriate to set a trial date at this time. Therefore, the court ORDERS the
17 parties to meet and confer regarding (1) a schedule for completing discovery and filing
18 dispositive motions, (2) when the parties anticipate being ready to take this case to trial,
19 and (3) the anticipated duration of the trial. The parties are further ORDERED to submit
20 a joint proposal regarding the same by no later than **March 3, 2023**.

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1 Dated this 17th day of February, 2023.

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4 JAMES L. ROBART
5 United States District Judge
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